

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EUGENIA SONG,

Plaintiff,

-against-

EMILY HOCH,

Defendant.

24-CV-2739 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action invoking the Court's diversity jurisdiction. The Court dismisses the complaint for the following reasons.

Plaintiff has previously submitted to this court a substantially similar complaint the same Defendant, raising the same claims. That case is presently pending under docket number ECF 1: 24-CV-2532, 1.<sup>1</sup> Because this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff's pending case under docket number ECF 1: 24-CV-2532, 1.

**CONCLUSION**

Plaintiff's complaint is dismissed without prejudice as duplicative of the action pending under docket number ECF 1: 24-CV-2532, 1.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

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<sup>1</sup> Plaintiff filed both actions without either prepaying the filing fees or submitting an *in forma pauperis* application. On April 29, 2024, Plaintiff submitted an *in forma pauperis* application in the action under docket number ECF 1: 24-CV-2532, 1. That action therefore can now be addressed in accordance with the court's procedures.

The Clerk of Court is directed to enter judgment in this matter.

SO ORDERED.

Dated: May 3, 2024  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge